

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

|                              |   |                  |
|------------------------------|---|------------------|
| DOMINIC JEROME LOVE JACKSON, | ) |                  |
|                              | ) |                  |
| Petitioner,                  | ) |                  |
|                              | ) |                  |
| vs.                          | ) | No. CIV-10-281-C |
|                              | ) |                  |
| THE STATE OF OKLAHOMA,       | ) |                  |
|                              | ) |                  |
| Respondent.                  | ) |                  |

ORDER

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Valerie K. Couch, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Couch entered a Report and Recommendation on May 7, 2010, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

Judge Couch, on March 23 and April 20, 2010, entered orders giving Petitioner additional time to either submit the filing fee or a motion for leave to proceed in forma pauperis. Obviously, again on May 7, with the issuance of the Report and Recommendation, a third notice was given to Petitioner to supply the fee or the motion. In his objection, Petitioner claims he mailed the in forma pauperis affidavit on some unknown date and additionally, that along with his objection, he is filing both an in forma pauperis affidavit and a check or money order for the filing fee. However, neither the affidavit nor a check or

money order was included with his objection. Petitioner has been given three chances and over two months to correct the deficiency and has failed to do so.

Accordingly, the Court adopts the Report and Recommendation entered by Judge Couch, and dismisses the petition for habeas corpus, without prejudice.

IT IS SO ORDERED this 7th day of June, 2010.



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ROBIN J. CAUTHRON  
United States District Judge